

**Notice of Allowability**

Application No.

09/635,630

Examiner

Luke Gilligan

Applicant(s)

KUSAMA ET AL.

Art Unit

3626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/20/07.
2. ☒ The allowed claim(s) is/are 1-6 and 8-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Donna Mason on 8/24/07.

3. The application has been amended as follows:

Please amend claim 1 as follows:

At line 2, after "accept from users", insert ", connected to a network,".

At line 10, after "accordance with", delete "at least one of".

Please amend claim 3 as follows:

At line 2, after "accept from users", insert ", connected to a network,".

At lines 9 and 10, after "determined based on", delete "at least one of".

Please amend claim 8 as follows:

At line 2, after "receiving from users", insert ", connected to a network,".

At line 7, after "accordance with", delete "at least one of".

Please amend claim 9 as follows:

At line 2, after "receiving from users", insert ", connected to a network,".

Art Unit: 3626

At lines 6 and 7, after "determined based on", delete "at least one of".

Please amend claim 10 as follows:

At line 4, after "accept from users", insert ", connected to a network,".

At line 13, after "accordance with", delete "at least one of".

Please amend claim 11 as follows:

At line 4, after "accept from users", insert ", connected to a network,".

At lines 12 and 13, after "determined based on", delete "at least one of".

#### ***Allowable Subject Matter***

4. Claims 1-6 and 8-11 are allowed. The following is an examiner's statement of reasons for allowance: The primary reason for the allowance of claims 1, 2, 4-6, 8, and 10 is the inclusion of the limitations in all of the claims that is not found in the prior art references of denying or accepting service booking requests based on whether an importance degree is lower than a predetermined importance degree, wherein the importance degree is determined based on attributes of users connected to a network, status information of services including load level and social factors and attributes of the services, wherein the attributes of the users includes information of a position on the network to which each user is connected and an identifier of the services to which the user has subscribed, and wherein the attributes of the services include an attribute of a logic resource used by the service and an identifier and attribute of a replacement logic resource to be used in place of the logic resource as needed. The closest prior art (Okawa and Campbell) teaches accepting or denying service booking requested based on whether an

Art Unit: 3626

importance degree is lower than a net revenue (see column 1, lines 1-56 and column 8, lines 20-40 of Campbell); and further teaches the importance degree is determined based on various attributes (see column 5, line 60 – column 6, line 5 and Figure 3 of Okawa). However, the prior art fails to teach or reasonably suggest that the importance degree is determined based on attributes of users connected to a network, status information of services including load level and social factors and attributes of the services, wherein the attributes of the users includes information of a position on the network to which each user is connected and an identifier of the services to which the user has subscribed, and wherein the attributes of the services include an attribute of a logic resource used by the service and an identifier and attribute of a replacement logic resource to be used in place of the logic resource as needed as claimed. Therefore, claims 1, 2, 4-6, 8, and 10 distinguish over the prior art.

5. Claims 3, 9, and 11 recite substantially similar limitations that distinguish over the closest prior art as identified above. Claims 3, 9, and 11 also include limitations of preparing at least one substitute reservation plan by altering at least one condition-variable among condition variables of a resource search condition equation which constitutes the content of reservation in the reservation booking requests that have been accepted. Since these claims include the limitations identified above, they distinguish over the prior art as well.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- Kopeikin discloses managing network resource requests.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke Gilligan whose telephone number is (571) 272-6770. The examiner can normally be reached on Monday-Friday 8am-5:30pm.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

8/31/07

  
C. LUKE GILLIGAN  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600